



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333 - 0001

REPLY TO
ATTENTION OF

AMCPE-C

30 SEP 1999

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Restoration of Annual Leave Due to an Exigency of the Public Business

1. This is a reiteration of AMC's restoration of annual leave policy due to an exigency of the public business. It is issued as a reminder to Civilian Personnel Advisory Centers (CPACs), managers, supervisors, and employees in order to help prevent unintended loss of employees' annual leave at the end of the leave year.
2. Advance scheduling of annual leave is a prerequisite to restoring annual leave which might be, otherwise, forfeited because of the exigencies of public business or because of sickness. Consequently, supervisors and managers should be reminded to review their internal practices and to develop or revamp procedures to ensure effective scheduling of annual leave by all employees. Likewise, all employees should be reminded that a separate and distinct decision, on a case-by-case basis, is required before a particular employee will be required to cancel scheduled leave due to an exigency of public business.
3. Leave will be canceled only for those individuals whose assignments, duties, expertise or abilities meet the needs of the exigency. Whenever possible, the decision to cancel an employee's leave should be made well in advance of the actual cancellation. Only a bona fide emergency should prevent a manager from making a cancellation decision well in advance of the cancellation or assignment of an affected employee to duties generated by the exigency. In addition, a specific beginning and ending date of the exigency must be established in advance unless the suddenness or uncertainty of the circumstances prevents an advance decision. These dates will establish the specific time frame within which employees were prevented from using their scheduled annual leave resulting in a subsequent forfeiture.
4. Annual leave forfeited because of an exigency of the public business may be temporarily restored if the annual leave was scheduled in advance. "Scheduled in advance" means the scheduling decision must be made before the start of the third

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biweekly pay period (21 Nov 99) prior to the end of the leave year (1 Jan 00). Scheduling and, as necessary, rescheduling annual leave must be in writing to document the action. Standard Form 71 may be used and supplemented, as required.

5. Annual leave may be restored under certain conditions. It must be put into a separate leave account and used within a 2-year time limit. The conditions for restoration follow:

a. Exigency of the Public Business: There are two conditions which must be met under this provision. The first is the exigency or operational demand was of such importance that annual leave could not be used by the employee to avoid forfeiture. The second condition is the annual leave must have been scheduled in advance prior to the end of the leave year.

b. Sickness of an Employee: There are two conditions which must be met under this provision. First, the period of sickness (injury or any other medical condition for which paid sick leave is appropriate) must have interfered with the usage of scheduled annual leave. The second condition is that the annual leave must have been scheduled in advance.

c. An Administrative Error: Annual leave may be restored to employees who lose annual leave due to an administrative error.

6. Request distribution of this information to all managers, supervisors, and employees.

7. The point of contact for this action is Teresa Greene, DSN 767-3408 or (703) 617-3408.

8. AMC -- Your Readiness Command . . . Serving Soldiers Proudly!

FOR THE COMMANDER:

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Colonel, GS

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